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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,520	12/05/2003	Phil Wilkinson	25025.0003	7852
7590	07/16/2007	EXAMINER		
Edward A. Pennington, Esq. Swidler Berlin Shreff Friedman, LLP Suite 300 3000 K Street, N.W. Washington, DC 20007-5116			ADDY, THJUAN KNOWLIN	
ART UNIT		PAPER NUMBER		
2614				
MAIL DATE		DELIVERY MODE		
07/16/2007		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/727,520	WILKINSON, PHIL
Examiner	Art Unit	
Thjuan K. Addy	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 03 April 2007.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1,4-9 and 12-19 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1,4-9 and 12-19 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 05 December 2003 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_.

**DETAILED ACTION**

***Response to Amendment***

1. Applicant's amendment filed on April 03, 2007 has been entered. Claims 1, 6-9, and 14-16 have been amended. Claims 2, 3, 10, and 11 have been cancelled. No claims have been added. Claims 1, 4-9, and 12-19 are now pending in this application, with claims 1 and 9 being independent.

***Claim Rejections - 35 USC § 112***

2. Claims 1, 4-9, and 12-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Claim 1 recites the limitation "the second device" in line 6. There is insufficient antecedent basis for this limitation in the claim.
4. Claim 9 recites the limitation "the second device" in line 6. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 4-9, and 12-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weisman et al (US Patent Application Publication, Pub. No.: US 2004/0047461 A1), in view of Winchell (US 4,550,224).

6. In regards to claims 1, 6, 7, 8, 9, 14, 15, and 16, Weisman discloses a method and system for providing pre-paid multi-party conference services (See page 14, paragraph [0178]), the method and system, comprising the steps of: receiving a pin number (e.g., participant identifier [PID]) from a first device (e.g., moderator); determining if the pin number is a valid pin number (See page 14, paragraph [0182]); if so, receiving, at the second device, a first destination number (e.g., desired list of conference participant(s), such as friends, participants sharing a common interest, etc.) provided by the first device (e.g., conference initiator/creator/moderator), where the first destination number corresponds to a potential conferencee (See page 9, paragraph [0132] and page 10, paragraph [0139]); establishing a communication connection between the first device and the destination number in response to receiving the first destination number (See pg. 10, paragraph [0139]). Weisman, however, does not disclose receiving a first code from the first device in response to establishing a communication connection between the first device and the destination number;

determining whether the first code is a add code; if so, maintaining the communication connection established between the first destination number and the first device as a conference call, otherwise, releasing the communication connection established between the first destination number and the first device. Winchell, however, does disclose receiving a first code from the first device in response to establishing a communication connection between the first device and the destination number; determining whether the first code is a add code; if so, maintaining the communication connection established between the first destination number and the first device as a conference call (See col. 5-6 lines 56-4, col. 15 lines 13-37, and col. 15 lines 54-59), otherwise, releasing the communication connection established between the first destination number and the first device (See col. 15 lines 54-64). Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to incorporate these features within the method and system, as a way of using a dial-up conference arrangement, which allows a conference originator to automatically add a conferee to an existing conference.

7. In regards to claims 4 and 12, Weisman discloses the method and system, further comprising providing a prompt requesting the first destination number (for example, the system request from the conference initiator/creator/moderator, a list of desired conference participant(s), such as friends, participants sharing a common interest, etc.) (See page 9, paragraph [0132] and page 10, paragraph [0139]).

8. In regards to claims 5 and 13, Weisman discloses all of claims 5 and 13 limitations, except the method and system, further comprising receiving a second code

from the first device specifying whether to initiate the addition of another destination number to the conference call. Winchell, however, does disclose receiving a second code from the first device specifying whether to initiate the addition of another destination number to the conference call (See col. 5-6 lines 56-4, col. 15 lines 13-37, and col. 15 lines 54-59).

9. In regards to claim 17, Weisman discloses the system, further comprising a network, coupled to the system, operable to transmit voice and data communication (See page 6-7, paragraph [0101] – [0102] and page 7-8, paragraph [0111] – [0112]).

10. In regards to claim 18, Weisman discloses the system, wherein the network is a PSTN (e.g., switched telephone network) (See page 6-7, paragraph [0101] – [0102]).

11. In regards to claim 19, Weisman discloses the system, further comprising at least two devices, coupled to the PSTN, operable to provide voice and data (See page 6-7, paragraph [0101] – [0102]).

### ***Response to Arguments***

12. Applicant's arguments with respect to claims 1, 4-9, and 12-19 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Stanley et al (US 4,635,251) teach a meet-me conference with control capabilities.

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14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

15. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan K. Addy whose telephone number is (571) 272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

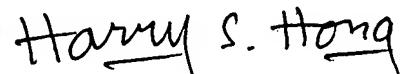
17. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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18. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Thjuan K. Addy  
Patent Examiner  
AU 2614



**HARRY S. HONG**  
**PRIMARY EXAMINER**